

Leon County  
Christie Wakefield  
Leon County Clerk  
Centerville, Texas 75833



70 2023 00463504

Instrument Number: 2023- 00463504

As

Recorded On: November 07, 2023

Recordings

Parties: PROPERTY OWNERS ASSOC OF HILLTOP LAKES INC

To

TO THE PUBLIC

Recorded By: POA OF HILLTOP LAKES

Billable Pages: 4

Num Of Pages: 5

Comment: PROCEDURES AND REGULATION

**\*\* Examined and Charged as Follows: \*\***

Recordings	28.00
Recording Charge:	28.00

**\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\***

I hereby certify that the within and foregoing was recorded in the Clerk's Office For: Leon County, TX

**File Information:**

**Record and Return To:**

Document Number: 2023- 00463504	POA OF HILLTOP LAKES
Receipt Number: 181074	HAND DELIVER 11/7/23
Recorded Date/Time: November 07, 2023 08:33:58A	CENTERVILLE TX 75833
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Property Owners' Association of Hilltop Lakes, Inc.  
FINE STRUCTURE AND PROCEDURES FOR VIOLATIONS OF RULES &  
REGULATIONS

FINES FOR VIOLATIONS:

For the benefit and protection of property owners, private property, and common property within Hilltop Lakes, the Property Owners' Association of Hilltop Lakes, Inc. (the "Association") has adopted rules and regulations governing the use of the amenities owned by the Association.

In order to encourage and ensure compliance with such rules, the Association has the authority to assess fines for violations of the rules, which are described below.

ADMINISTRATION OF THE PROCEDURES:

The Board of Directors assigns administration of these procedures to the Architectural Control Committee Administrative Assistant (ACC Admin) on staff with the Association. The staff member will be assisted by the ACC Committee.

PROCEDURES FOR VIOLATION NOTIFICATION, FINES PROCESS, AND FINES STRUCTURE:

The Association will send an initial violation letter to the owner's mailing address on record with the Association notifying the owner of need to correct the violation(s) to avoid the initiation of the fines process. Owner(s) will have 10 days to correct the identified violation(s) or appeal in writing to the Architectural Control Committee. If neither corrected nor appealed within the 10 days, the following process will begin and fines will thereafter apply and continue to progress until violation is resolved.

FINES PROCESS & STRUCTURE:

- (a) Prior to assessing a suspension, charge or fine, the Association will send the owner written notice by certified mail. This is referred to as the "Certified Notice."
- (b) The Certified Notice will:
  - (1) describe the violation or property damage that is the basis for the suspension action, charge, or fine and state any amount due the Association from the owner;
  - (2) except for uncurable violations as provided in Section 209.006(d), inform the owner that the owner:
    - (A) is entitled to a reasonable period to cure the violation and avoid the fine or suspension if the violation is of a curable nature and does not pose a threat to public health or safety;

(B) may request a hearing under Section 209.007 Texas Property Code, on or before the 30th day after the date the notice was mailed to the owner; and

(C) may have special rights or relief related to the enforcement action under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. App. Section 501 et seq.), if the owner is serving on active military duty;

(3) specifies the date by which the owner must cure the violation if the violation is of a curable nature and does not pose a threat to public health or safety; and

(4) is sent by certified mail to the owner at the owner's last known address as shown on the Association's records.

(c) The date specified in the notice under Paragraph (b)(3) must provide a reasonable period to cure the violation if the violation is of a curable nature and does not pose a threat to public health or safety.

(d) Paragraphs (a) and (b) do not apply to a violation for which the owner has been previously given notice in the preceding six months.

(e) If the owner cures the violation before the expiration of the period for cure described by Paragraph (c), a fine may not be assessed for the violation.

#### FINES:

- Step 1: Violation(s) not resolved within 30 days of Certified Notice — either by correction or by resolution through the hearing process described above - will result in a \$50 fee charged to the owner for the violation. The owner will have 10 days to correct violation and pay fine.
- Step 2: If the violation is not corrected and/or the fine is not paid within 10 days of notice in Step 1, a second certified letter will be generated and sent by ACC Admin. The second certified letter will be accompanied by a copy of the initial violation letter, a copy of the letter sent in Step 1, and a copy of the receipt from certified letter in Step 1. At this stage, a \$100 fee will be charged for the continued or repeated violation, bringing the total due to \$150. Property Owner will be given 30 days to correct the violation and pay violation fees of \$150.
- Step 3: If the violation is not corrected and/or the fine is not paid within 30 days of notice in Step 2, an additional certified letter will be generated and sent. This certified letter will be accompanied by copies of initial violation letter, copies of letters sent in Step 1 and Step 2, and copies of the receipts associated with the previous two (2) certified letters. There will be a \$200 fee charged for the continued or repeated violation at this time. The owner will be given 30 days to correct the violation and pay violation fees totaling \$350.
- Step 4: If the violation is not resolved and/or the fees are not paid within 30 days of the notice in Step 3, all documents associated with the violation will be forwarded to attorney(s) retained by the Association. The Association will

suspend the owner's access to Association amenities and authorize attorneys to take legal action to resolve the violation and collect the fees. At this time, a fee of \$400 will be charged for the continued or repeated violation, bringing total fees due of \$750. From this point

forward, until the violation is corrected and all fees due are paid, an additional \$400 fee will be charged each month.

DAMAGE TO ASSOCIATION PROPERTY. In addition to the fines described above, in the event that an owner, tenant or guest damages Association property, the Association may at its option go directly to owner suspension and lawsuit at any time after the expiration of the 30-day notice period following the date of the Certified Notice.

**This Policy is effective upon recordation in the Public Records of Leon County, and supersedes any policy on Fine Structure and Procedures for Violations of Rules & Regulations which may have previously been in effect, except as affected by Section 209.005 and/or by this Policy, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.**

Approved and adopted by the Board on the 10th day of July, 2021.

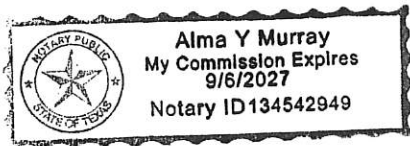
  
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Bill Johnson  
President  
Property Owners Association of Hilltop Lakes, Inc.

The above policy was originally filed August 30, 2021 – a clerical error associated with the notary signature was discovered in October 2023. The error has been corrected on this document and it is being filed again.

STATE OF TEXAS       )  
                                  )  
COUNTY OF LEON     )

Before me, the undersigned authority, on this day personally appeared William (Bill) Johnson, President of Property Owners Association of Hilltop Lakes, Inc., a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledge to me that he had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 6 day of NOV, 2023.



[Handwritten Signature]  
Notary Public, State of Texas

Alma Y Murray  
Printed Name

My Commission expires: 9-6-2027